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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,914	02/04/2002	Michael J. Wookey	P7234	5971
33438	7590	09/22/2005	EXAMINER	
HAMILTON & TERRILE, LLP P.O. BOX 203518 AUSTIN, TX 78720			HOFFMAN, BRANDON S	
			ART UNIT	PAPER NUMBER
			2136	

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/066,914	WOOKEY ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Brandon S. Hoffman	2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) \_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 04 February 2002 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____ .   |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>5-10-02</u> .   | 6) <input type="checkbox"/> Other: ____ .                                   |



## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities: the "Cross Reference to Related Applications" section needs updated to include the appropriate application numbers.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:  

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claim 2 recites the limitation "the architecture according to claim 2" in line 1. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1, 2, 7-11, 13-15, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dent (U.S. Patent Pub. No. 2001/0005695) in view of Billstrom (U.S. Patent No. 5,729,537).

Regarding claims 1 and 15, Dent teaches an architecture/method for confirming the identity of a message sender on a remote services system, comprising:

- A communications module operable to transmit a message (fig. 3, ref. num 43);
- A mid-level manager operating in conjunction with said communications module for controlling the flow of messages in said remote services system and for verifying the identity of a sender by comparing first and second data identities in said data stream (fig. 4, ref. 73).

Dent does not teach a cryptographic module in said communications module for providing encryption of a data stream in said message.

Billstrom teaches a cryptographic module in said communications module for providing encryption of a data stream in said message (col. 9, lines 39-50).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine encrypting the data stream, as taught by Billstrom, with the architecture/method of Dent. It would have been obvious for such modifications because a transmitted data stream could be monitored by unauthorized persons;

encrypting prevents any intelligible information from being derived from such transmission.

Regarding claim 9, Dent teaches a method of confirming the identity of a message sender on a remote services system, comprising:

- Obtaining a first identity related to a message, said first identity being obtained in said remote services system (fig. 4, ref. num 65);
- Obtaining a second identity related to the sender of a message, said second identity being obtained in said remote services system (fig. 4, ref. num 71); and
- Comparing said first identity with said second identity to verify the identity of the sender of said message (fig. 4, ref. num 73).

Dent does not specifically teach the identities being obtained from a software layer.

Billstrom teaches obtaining identities from a software layer (col. 10, lines 18-32 and col. 12, lines 13-31).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine obtaining identities from a software layer, as taught by Billstrom, with the method of Dent. It would have been obvious for such modifications because the identities in a software layer consist of a password in a browser or a

network ID of a packet; both are common identification methods, and both provide an identity of a particular data.

Regarding claims 2, 10, and 16, Dent as modified by Billstrom teaches said first data identity comprising data in a network software layer, said second identity comprising data in an application software layer (see col. 10, lines 18-32 and col. 12, lines 13-31 of Billstrom).

Regarding claim 11, Dent as modified by Billstrom teaches further comprising encrypting said message and said identities in an encryption module in said remote services system (see col. 9, lines 39-50 of Billstrom).

Regarding claims 7, 8, 13, and 14, the examiner takes official notice that wherein transmission of said message is conditioned on HTTP and on an email protocol is obvious. It would have been obvious based on the above combinations because the application layer is known to consist of SMTP and HTTP, the common mail protocol and browser protocol.

Claims 3-6, 12, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dent (U.S. Patent Pub. No. 2001/0005695) in view of Billstrom (USPN '537), and further in view of Belfiore et al. (U.S. Patent Pub. No. 2002/0059425).

Regarding claims 3, 12, and 17, Dent as modified by Billstrom teaches all the limitations of claims 1, 2, 9-11, and 15, above. However, the combination does not teach said cryptographic module using secure socket layer encryption.

Belfiore et al. teaches said cryptographic module using secure socket layer encryption (paragraph 0211).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine using SSL encryption, as taught by Belfiore et al., with the method of Dent/Billstrom. It would have been obvious for such modifications because SSL is beneficial in a browser based system, such as the applications of Billstrom.

Regarding claims 4 and 18, Dent as modified by Billstrom teaches all the limitations of claims 1, 2, 15, and 17, above. However, the combination does not teach said mid-level manager controlling data flow between a customer proxy and an applications server.

Belfiore et al. teaches said mid-level manager controlling data flow between a customer proxy and an applications server (paragraph 0213).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine controlling flow between a proxy and a server, as taught by Belfiore et al., with the method of Dent/Billstrom. It would have been obvious for such modifications because proxies are known to provide connections on behalf of a user; controlling flow between a proxy and a server would be advantageous because a user may not be authenticated to access the server.

Regarding claims 5 and 19, Dent as modified by Billstrom/Belfiore et al. teaches wherein said mid-level manager is a customer mid-level manager (see paragraph 0213 of Belfiore et al.).

Regarding claims 6 and 20, Dent as modified by Billstrom/Belfiore et al. teaches wherein said mid-level manager is an aggregation mid-level manager (see paragraph 0213 of Belfiore et al.).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon Hoffman whose telephone number is 571-272-3863. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2136

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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